

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
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***For Immediate Release***

**NEWS RELEASE SUMMARY** - September 1, 2006

United States Attorney Carol C. Lam announced that Victor Zuniga, the owner of a local electroplating firm, was sentenced today in federal court in San Diego by United States District Judge Napoleon A. Jones, Jr. to serve 24 months in custody and ordered to pay a \$120,000 fine. The sentence followed the conviction of Victor Zuniga and his firm, Victor's Premier Plating, Inc. of Santee, California, by a federal jury on May 10, 2006, of 24 violations of the federal Clean Water Act. Judge Jones also ordered Victor's Premier Plating, Inc., to pay a \$120,000 fine, jointly and severally with owner Victor Zuniga.

According to Assistant U.S. Attorney Melanie K. Pierson, who prosecuted the case, the evidence at trial established that Victor's Premier Plating, Inc. and its owner and operator, Victor Zuniga, exceeded the legal limits on discharging wastewater contaminated with zinc on 18 occasions, wastewater contaminated with chromium on one occasion, and wastewater with a low (acidic) pH on four occasions, all between December 2001 and January 2003. The defendants were also convicted of discharging wastewater at a second

location between October 2003 and November 2003, without first obtaining a discharge permit. Pierson noted that wastewater that exceeds the limits for heavy metals such as zinc and chromium is likely to pass through the sewage treatment plant and be discharged into the ocean because the Point Loma Wastewater Treatment Plant is not designed to treat heavy metals.

United States Attorney Lam said, "These metals are regulated for a reason that hits close to home for all of us -- our health. People who ignore those regulations impose a cost on us that we can't afford to bear."

"These defendants endangered human health and the environment by discharging heavy metals in violation of their permit limits," said Granta Y. Nakayama, Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance. "These sentences demonstrate that disregard for safety and the environment will not be tolerated – companies and their owners will be vigorously prosecuted."

The Court ordered Zuniga remanded immediately into custody to begin serving his sentence.

## **DEFENDANTS**

Victor Zuniga

Victor's Premier Plating, Inc.

## **SUMMARY OF CHARGES**

Counts 1, 3-25: Unlawful Discharge of Pollutants, in violation of Title 33, United States Code, Sections 1317(d) and 1319(c)(2)(A)

Maximum Penalty: 3 years in custody and/or a \$50,000 fine per day of violation (and a minimum fine of \$5,000 per day of violation)

## **AGENCIES**

U.S. Environmental Protection Agency - Criminal Investigation Division

City of San Diego Metropolitan Wastewater Department - Industrial Wastewater Control Program

Federal Bureau of Investigation